



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/796,900
		Filing Date	March 8, 2004
		First Named Inventor	Russell, Brian A.
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	1	Attorney Docket Number	40000-000120

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement, PTO Form SB/08A, 16 references, and the PCT International Search Report.	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	No Fee Transmittal is attached as Applicant believes no fee is necessary for this Information Disclosure Statement.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Roger T. Barrett	
Signature		
Date	May 4, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Sara B. McPeak		
Signature		Date	May 4, 2004

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Mail Stop Amendment
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Alexandria, VA 22313-1450



On May 7, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Sara B. McPeak

Sara B. McPeak

Sara B. McPeak

PATENT
Attorney Docket No.: 40000-000120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian A. Russell

Application No.: 10/796,900

Filed: March 8, 2004

For: ENERGY RETURN WHEEL
SYSTEMS AND METHODS

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the International Search Report corresponding to a PCT application of the parent case (now U. S. Patent No. 6,701,985 B2).

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Roger T. Barrett
Reg. No. 41,599

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60207966 v1



<p>Substitute for form 1449A/P-1 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)</p>				<i>Complete if Known</i>			
				Application Number		10/796,900	
				Filing Date		March 8, 2004	
				First Named Inventor		Russell, Brian A.	
				Art Unit		Unassigned	
				Examiner Name		Unassigned	
Sheet	1	of	1	Attorney Docket Number		40000-000120	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
AA	US-863,827		08-20-1907	J. Alloatti	
AB	US-1,012,331		12-19-1911	W. J. Cunningham	
AC	US-1,024,091		04-23-1912	N. R. Martin et al.	
AD	US-1,054,444		02-25-1913	E. L. A. Olivier	
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AF	US-1,134,291		04-06-1915	W. J. Spencer	
AG	US-1,213,834		01-30-1917	R. Bunzlau et al.	
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AL	US-1,449,920		03-27-1923	C. O. Stanley	
AM	US-1,646,480		10-25-1927	A. J. Harpstrite	
AN	US-1,650,271		11-22-1927	A. J. Harpstrite	
AO	US-4,573,510		03-04-1986	Jakob Ippen et al.	
AP	US-				
AQ	US-				
AR	US-				
AS	US-				
AT	US-				

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
AU	GB	12,249		05-25-1906			<input type="checkbox"/>
AV							<input type="checkbox"/>
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Examiner Signature		Date Considered	
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

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